

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**FILED**

AUG 18 2005

MICHAEL W. DOBBINS  
CLERK, U.S. DISTRICT COURT

ARRIVAL STAR, INC.,

Plaintiff,

v.

PBB GLOBAL LOGISTICS, INC. d/b/a  
CLARKE LOGISTICS,

Defendant.

**05C 4766**

Civil Action No.:

**JURY TRIAL DEMANDED**

**JUDGE RONALD GUZMAN**

**MAGISTRATE JUDGE DENLOW**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff, Arrival Star, Inc. ("ArrivalStar"), complains of defendant, PBB Global Logistics, Inc. d/b/a Clarke Logistics ("PBB"), as follows:

**NATURE OF LAWSUIT**

1. This action involves claims for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has exclusive jurisdiction over the subject matter of the Complaint under 28 U.S.C. § 1338(a).

**THE PARTIES**

2. Arrival Star, Inc. ("ArrivalStar") is a corporation organized under the laws of the British Channel Island of Jersey, having its principal place of business at 219 N.E. 1st Avenue, Delray Beach, Florida 33444. ArrivalStar is the named assignee of, owns all right title and interest in, and has standing to sue for infringement of United States Patent No. 6,748,318 ("the '318 patent"), entitled "Advanced Notification Systems and Methods Using a Computer Network," issued June 8, 2004 (Exhibit A), and United States Patent No. 6,317,060 ("the '060 patent"), entitled "Base Station System and Method for Monitoring Travel of Mobile Vehicles and Communicating Notification Messages," issued November 13,

13, 2001 (Exhibit B) (collectively "the ArrivalStar Patents"). The '318 patent claims priority to United States Patent Application No. 08/063,533, filed on May 18, 1993, now United States Patent No. 5,400,020.

3. Defendant PBB is a Delaware corporation with a place of business at 900 Ridge Rd., Suite 3NW, Homewood, Illinois 60430-1937. PBB transacts business and has provided to customers in this judicial district and throughout the State of Illinois services that infringe claims of the '318 and '060 patents.

4. Venue is proper in this district under 28 U.S.C. §§ 1391 and 1400(b).

#### **PBB'S ACTS OF PATENT INFRINGEMENT**

5. PBB has infringed claims of the '318 and '060 patent through, among other activities, the use of its "eAlert" and "Track and Trace" cargo and shipment status notification systems. PBB has also infringed the '318 and '060 patents by knowingly and actively inducing others to infringe, and by contributing to the infringement by others of, such patents.

6. PBB's infringement, contributory infringement, and inducement to infringe has been willful and deliberate and has injured and will continue to injure ArrivalStar, unless and until this Court enters an injunction prohibiting further infringement and, specifically, enjoining further use of methods and systems that come within the scope of the ArrivalStar Patents.

#### **PRAYER FOR RELIEF**

WHEREFORE, plaintiff asks this Court to enter judgment against PBB, and against its subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with them, granting the following relief:

A. An award of damages adequate to compensate ArrivalStar for the infringement that has occurred, together with prejudgment interest from the

date that PBB's infringement of the ArrivalStar Patents began;

- B. Increased damages as permitted under 35 U.S.C. § 284;
- C. A finding that this case is exceptional and an award to ArrivalStar of its attorneys' fees and costs as provided by 35 U.S.C. § 285;
- D. A permanent injunction prohibiting further infringement, inducement and contributory infringement of the '318 and '060 patents; and,
- E. Such other and further relief as this Court or a jury may deem proper and just.

**JURY DEMAND**

ArrivalStar demands a trial by jury on all issues presented in this Complaint.

FOR ARRIVAL STAR, INC.



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